

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

IN RE: **Dennis Hall**

Case No.: _____

Judge: _____

Debtor(s)

Chapter: _____

13

CHAPTER 13 PLAN AND MOTIONS

☒ Original

☐ Motions Included

☐ Modified/Notice Required

☐ Modified/No Notice Required

☒ Discharge Sought

☐ No Discharge Sought

Date: 2-6-2016

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The Debtor shall pay 875.00 Monthly to the Chapter 13 Trustee, starting on March 1, 2016 for approximately 60 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒

Future Earnings

☐

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property
Description:
Proposed date for completion: _____

☐ Refinance of real property
Description:
Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property
Description:
Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).

b. Adequate protection payments will be made in the amount of \$____ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to ____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Kirsten B. Ennis, Esq. ~KBE7927	Attorney Fees	2,414.00
Internal Revenue Service	Taxes and certain other debts	5,642.93

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Wells Fargo Hm Mortgag	102 Mali Drive North Plainfield, NJ 07062 Somerset County	24,508.00	0.00	24,508.00	1683.12

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section

1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
Chase Auto	2012 Nissan Pathfinder 90000 miles	11,702.00	9,000.00	None	9,000.00	4.25	9,850.41

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
-NONE-			

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Creditor
-NONE-

e. Secured Claims to be paid in full through the Plan

Creditor	Collateral	Total Amount to be Paid through the Plan
-NONE-		

Part 5: Unsecured Claims

a. Not separately classified Allowed non-priority unsecured claims shall be paid:

____ Not less than \$ ____ to be distributed *pro rata*

____ Not less than ____ percent

 x *Pro Rata* distribution from any remaining funds

b. Separately Classified Unsecured Claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
-NONE-		

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
-NONE-							

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
-NONE-		

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Chase Auto	2012 Nissan Pathfinder 90000 miles	9,000.00	2,702.00

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) **Other Administrative Claims**
- 3) **Secured Claims**
- 4) **Lease Arrearages**
- 5) **Priority Claims**
- 6) **General Unsecured Claims**

d. Post-petition claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: _____.

Explain below why the Plan is being modified.	Explain below how the Plan is being modified

Are Schedules I and J being filed simultaneously with this modified Plan? ☐ Yes ☐ No

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date February 6, 2017 /s/ Kirsten B. Ennis, Esq.
Kirsten B. Ennis, Esq.
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: February 6, 2017 /s/ Dennis Hall
Dennis Hall
Debtor

Date: _____
Joint Debtor

Certificate of Notice Page 6 of 7
 United States Bankruptcy Court
 District of New Jersey

In re:
 Dennis Hall
 Debtor

Case No. 17-12374-CMG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 34

Date Rcvd: Feb 08, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 10, 2017.

db
 516632773 +Dennis Hall, 102 Mali Drive, North Plainfield, NJ 07062-2330
 516632774 +Amex, Po Box 297871, Fort Lauderdale, FL 33329-7871
 516632774 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bk Of Amer, Po Box 982238, El Paso, TX 79998)
 516632777 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Capital One Bank Usa N, 15000 Capital One Dr,
 Richmond, VA 23238)
 516632775 Cach Llc, Pob 5980, Denver, CO 80127
 516632780 +Chase Auto, Po Box 901003, Ft Worth, TX 76101-2003
 516632781 +Chase Card, Po Box 15298, Wilmington, DE 19850-5298
 516632782 +Citi, Pob 6241, Sioux Falls, SD 57117-6241
 516632787 +Dsnb Macys, 9111 Duke Blvd, Mason, OH 45040-8999
 516632791 +Lyons, Doughty and Veldhuis, PC, 136 Gaither Dr., Suite 100, PO Box 1269,
 Mount Laurel, NJ 08054-7269
 516632793 +Midland Funding, 2365 Northside Dr Ste 30, San Diego, CA 92108-2709
 516632794 National Recovery Agency, PO BOX 67015, Harrisburg, PA 17106-7015
 516632795 +Overlook Hospital, 99 Beauvoir Avenue, Summit, NJ 07901-3595
 516632796 +Phelan Hallinan Diamond & Jones, 400 Fellowship Road, Suite 100,
 Mount Laurel, NJ 08054-3437
 516632799 Pressler & Pressler, LLP, 7 Entin Road, Parsippany, NJ 07054-5020
 516632802 +Sears Credit Cards, c/o Pressler & Pressler, 7 Entin Road, Parsippany, NJ 07054-5020
 516632803 +Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
 516632805 U S Dept Of Ed/Gsl/Atl, Po Box 4222, Iowa City, IA 52244
 516632806 +Virtuoso Sourcing Grou, 4500 E Cherry Creek Sout, Denver, CO 80246-1531
 516632807 ++WELLS FARGO BANK NA, WELLS FARGO HOME MORTGAGE AMERICAS SERVICING,
 ATTN BANKRUPTCY DEPT MAC X7801-014, 3476 STATEVIEW BLVD, FORT MILL SC 29715-7203
 (address filed with court: Wells Fargo Hm Mortgag, 8480 Stagecoach Cir,
 Frederick, MD 21701)

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Feb 08 2017 23:38:38 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Feb 08 2017 23:38:34 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 516632772 +E-mail/Text: banko@acsnv.com Feb 08 2017 23:39:08 Allied Coll, 3080 S Durango Dr,
 Las Vegas, NV 89117-9194
 516632778 +E-mail/Text: bankruptcy@cavps.com Feb 08 2017 23:38:56 Cavalry Portfolio Serv,
 Po Box 27288, Tempe, AZ 85285-7288
 516632779 +E-mail/Text: bankruptcy@certifiedcollection.com Feb 08 2017 23:38:26
 Certified Credit and Collection, PO Box 1750, Whitehouse Station, NJ 08889-1750
 516632784 +E-mail/Text: electronicbkydocs@nelnet.net Feb 08 2017 23:38:41 Dept Of Education/neln,
 3015 Parker Rd, Aurora, CO 80014-2904
 516632786 +E-mail/Text: mrdiscen@discover.com Feb 08 2017 23:37:49 Discover Fin Svcs Llc,
 Po Box 15316, Wilmington, DE 19850-5316
 516632785 E-mail/Text: cio.bncmail@irs.gov Feb 08 2017 23:38:00 Dept of Treasury,
 Internal Revenue Service, Cincinnati, OH 45999
 516632790 +E-mail/Text: bnckohlsnotices@becket-lee.com Feb 08 2017 23:37:55 Kohls/capone,
 N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
 516632792 +E-mail/Text: bkr@cardworks.com Feb 08 2017 23:37:43 Merrick Bank, Po Box 9201,
 Old Bethpage, NY 11804-9001
 516632798 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 08 2017 23:54:02
 Portfolio Recovery Associates, LLC, PO Box 12914, Norfolk, VA 23541
 516632797 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 08 2017 23:42:11
 Portfolio Recovery Ass, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
 516632801 +E-mail/Text: Supportservices@receivablesperformance.com Feb 08 2017 23:39:27 RPM,
 20816 44th Avenue West, Lynnwood, WA 98036-7799
 516632800 +E-mail/Text: info@reliant-cap.com Feb 08 2017 23:39:10 Reliant Cap, 750 Cross Pointe Rd,
 Gahanna, OH 43230-6691

TOTAL: 14

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516632776 Capl/bstby
 516632783* +Citi, Po Box 6241, Sioux Falls, SD 57117-6241
 516632789* +Internal Revenue Service, 3101 Constitution Dr, Springfield, IL 62704-6729
 516632788* +Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
 516632804 ##+The Bureaus Inc, 1717 Central St, Evanston, IL 60201-1507

TOTALS: 1, * 3, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 34

Date Rcvd: Feb 08, 2017

***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 10, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 7, 2017 at the address(es) listed below:

Kirsten B. Ennis on behalf of Debtor Dennis Hall pacerecf@ennislegal.com
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 2